

## U.S. Department of Justice CKET

United States Attorney Southern District of New York

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The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

February 22, 2023

## EX PARTE AND UNDER SEAL

Honorable Lewis A. Kaplan United States District Judge Daniel Patrick Moynihan United States Courthouse 500 Pearl Street New York, NY 10007-1312

Re: United States v. Samuel Bankman-Fried, S3 22 Cr. 673 (LAK)

Dear Judge Kaplan:

On February 22, 2023, a grand jury returned a twelve-count superseding indictment (the "S3 Indictment") charging Samuel Bankman-Fried with conspiracy to commit wire fraud, wire fraud, conspiracy to commit commodities fraud, commodities fraud, conspiracy to commit securities fraud, securities fraud, conspiracy to commit bank fraud, conspiracy to commit unlicensed money transmission, conspiracy to commit money laundering, and conspiracy to commit campaign finance violations and defraud the Federal Election Commission. A copy of the S3 Indictment is enclosed.

As the Court knows, the defendant was previously extradited from The Bahamas on an Indictment returned on December 9, 2022. The S3 Indictment has been sealed so as to permit time for the Government to make the appropriate diplomatic notifications about the new charges. Those notifications will be made this evening. Accordingly, the Government respectfully requests that the Court order the S3 Indictment unsealed as of 9:00 a.m. on February 23, 2023.

For the reasons set forth in this letter, the Government also respectfully requests that this letter be maintained under seal until the unsealing of the S3 Indictment.

Respectfully submitted,

DAMIAN WILLIAMS United States Attorney

by: /s/ Nicolas Roos

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SO ORDERED:

THE HONORABLE LEWIS A. KAPLAN UNITED STATES DISTRICT JUDGE